

Notice of Allowability

Applicati n No.

09/662,366

Examiner

Kandasamy Thangavelu

Applicant(s)

CHAPMAN, BARRY L.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with th correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 30 August 2004.
2. ☒ The allowed claim(s) is/are 1-7 and ~~9-11~~ 10-13 KMW
3. ☒ The drawings filed on 13 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12 December 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Introduction

1. This communication is in response to the Applicants' Appeal Brief filed on August 30, 2004. Claims 1-7 and 9-13 of the application are pending.

Examiner's Amendment

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Brian Oaks on December 20, 2004.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. In the Claims:

In Claim 1, Lines 1-2, "A method for facilitating configuration of one of a plurality of different products from a set of components"

has been changed to

-- A computer implemented method for facilitating configuration of one of a plurality of different products from a set of components --.

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In Claim 1, Lines 15-18, "identifying a criteria set having a plurality of different states which each correspond to a respective one of said products; and

associating with each said state of said criteria set a definition of a combination of the components from said component group which is present in the corresponding product."

has been changed to **(by adding Claim 9 limitations to Claim 1)**

-- identifying a criteria set having a plurality of different states which each correspond to a respective one of said products;

associating with each said state of said criteria set a definition of a combination of the components from said component group which is present in the corresponding product;

determining whether the total percentage of said components corresponding to both of said first and second component classes represent at least 40% of the total number of said components in each of the products; and

responding to a determination that the total percentage of said components corresponding to both of said first and second component classes does not represent at least 40% of the total number of said components in each of the products by effecting an adjustment which causes at least one of said components determined to correspond to said third component class to be treated as corresponding to said second component class rather than said third component class thereby adjusting the definition of the combination of components.--.

Claim 9 has been cancelled.

Reasons for Allowance

4. Claims 1-7 and 10-13 of the application are allowed over prior art of record.

5. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

The closest prior art of record shows:

(1) a computer based system for computer system configuration involving selecting and connecting components to satisfy a particular need or request; configuring a computer system requires that a selected component is compatible with other components in the configured system; the computer based configuration system may be a rule based system which use a set of rules to validate the selection of configuration alternatives; the rule based systems evaluate an independently generated system order and identify any required modifications to the system to satisfy the model's configuration rules; an alternative approach is the constraint based system, which uses constraints on the use of components in a configuration; the constraint based systems employ a verification approach to system configuration; the constraint based systems use the required functions to identify the components that are crucial; the process uses a product-to-component mapping and the configured system is bundled into a product (**Lynch et al.**, U.S. Patent application 2002/0035463);

(2) an integrated system-level synthesis framework which allows a complete computer system to be specified using a set of high-level building blocks; by using domain-specific design knowledge, alternative hardware and software configurations can be rapidly specified and

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synthesized; the system level synthesis process creates a system from basic components according to a set of performance, functionality and cost requirements; the automated synthesis system maps a set of input specifications to a hardware and/or a software implementation; to specify the system, the designer answers a series of questions regarding the functionalities and performance of the system; the synthesis system is based on sets of rules which codify expert design knowledge; the system selects the appropriate hardware and software from its design libraries; selection criteria are used by the system to select the components (**Deang et al.**, “IFSys: In integrated framework for system-level synthesis”, IEEE 1998); and

(3) a communication network architecture for end-to-end transport through a connectionless packet-based network of multiple services originating at different types of tributary interfaces; these networks uplink aggregated data from lower-speed interfaces to higher-speed uplink ports located at gateways to core transport networks; these networks enable the data to be rerouted in the event of failure; the architecture supports both connectionless packetized data and framed data; the virtual network has both the routing and multiplexing devices; upon arrival at the destination device, the packet is converted back to the required format for appropriate egress interface to the virtual network (**Bannai et al.**, U.S. Patent 6,647,428).

5.1 Applicants' first set of claims consists of Claims 1-7 and 10-13.

Independent Claim 1 is directed to a method for facilitating configuration of one of a plurality of different products from a set of components. The claim identifies the uniquely distinct features of:

“determining whether the total percentage of said components corresponding to both of said first and second component classes represent at least 40% of the total number of said components in each of the products” and “responding to a determination that the total percentage of said components corresponding to both of said first and second component classes does not represent at least 40% of the total number of said components in each of the products by effecting an adjustment which causes at least one of said components determined to correspond to said third component class to be treated as corresponding to said second component class rather than said third component class thereby adjusting the definition of the combination of components”.

Because the closest prior art fails to teach or fairly suggest determining whether the total percentage of the components corresponding to both of the first and second component classes represent at least 40% of the total number of the components in each of the products; and responding to a determination that the total percentage of the components corresponding to both of the first and second component classes does not represent at least 40% of the total number of the components in each of the products by effecting an adjustment which causes at least one of the components determined to correspond to the third component class to be treated as corresponding to the second component class rather than the third component class thereby adjusting the definition of the combination of components, as claimed by the Applicants, Claims 1-7 and 10-13 are deemed novel and allowable.

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6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kandasamy Thangavelu whose telephone number is 571-272-3717. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska, can be reached on 571-272-3716. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

K. Thangavelu
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December 21, 2004



KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER